



February 01, 2016

## **Human Rights Monitoring Report**

January 1 - 31, 2016

### **Political violence**

#### **Extrajudicial killings**

#### **Torture and degrading treatment**

#### **Allegations of enforced disappearance**

#### **A student killed in Brahmanbaria**

#### **Media and freedom of expression**

#### **Chief Justice comments on the Judiciary**

#### **Eviction of slum dwellers**

#### **Human rights violations by BSF**

#### **Public lynching**

#### **Violence against women**

#### **Hindrance to human rights activities**

Odhikar believes that 'democracy' is a form of the State and that freedom and human rights are its foundations. Democracy is not merely a process of electing a ruler; it is the result of the peoples' struggle for inalienable rights, which become the fundamental premise to constitute the State. Therefore, the individual freedoms and democratic aspirations of the citizens - and consequently, peoples' collective rights and responsibilities - must be the foundational principles of the State.

The democratic legitimacy of the State is directly related to its willingness, commitment and capacity to ensure human rights, dignity and integrity of citizens. If the state does not ensure full participation in the decision making process at all levels - from the lowest level of administration to the highest level - it cannot be called a 'democratic' state. Citizens realise their rights and responsibilities through participation and decision making processes. The awareness about the rights of others and collective benefits and responsibilities, can be ensured and implemented through this process as well. The Parliament, Judiciary and Executive cannot and

should not, have any power to abrogate fundamental civil and political rights through any means, as such rights are inviolable and are the foundational principles of the State.

Odhikar, being an organisation of human rights defenders in Bangladesh, has been struggling to ensure internationally recognised civil and political rights of citizens. Odhikar stands against all forms of human rights violations; and participates and remains directly involved in the human rights movement in Bangladesh.

Odhikar does not believe that the human rights movement merely endeavours to protect the 'individual' from violations perpetrated by the state; rather, it believes that the movement to establish the rights and dignity of every individual is part of the struggle to constitute Bangladesh as a democratic state. As part of its mission, Odhikar monitors the human rights situation in order to promote and protect civil, political, economic, social and cultural rights of Bangladeshi citizens and to report on violations and defend the victims. In line with this campaign, Odhikar prepares and releases human rights status reports every month. The Organisation has released this human rights monitoring report of January 2016, despite facing persecution and continuous harassment and threats to its existence since August 10, 2013.

## Political violence

1. According to information gathered by Odhikar, in January 2016, six persons were killed and 407 were injured in political violence. Among them, one person was killed and 69 were injured during the post-municipality election unrest. 28 incidents of internal violence in the Awami League and one in the BNP<sup>1</sup> were also recorded during this period. Three persons were killed and 228 were injured in the internal conflicts of the Awami League while eight persons were injured in conflicts within the BNP.
2. Despite protests from the Opposition at that time, and without any public referendum the Awami League government repealed the caretaker government system through the Fifteenth Amendment to the Constitution in 2011. Since then, the political crisis has heightened. On January 05, 2014 the controversial 10<sup>th</sup> Parliamentary Elections took place. Almost all political parties including the main Opposition BNP along with its 18-Party Alliance, Gonotantrik Bam Morcha<sup>2</sup> boycotted the elections. As a result the ruling party Awami League and its alliance were elected without any contest in 153 seats out of 300 before elections. The voters lost their fundamental right to vote. Meanwhile during elections the voting took place in the remaining 146 constituencies. However, a large majority of the voters were deviated from

---

<sup>1</sup> BNP: Bangladesh Nationalist Party

<sup>2</sup> Democratic Left Alliance

casting their votes. At that time, widespread human rights violations and clashes took place which resulted many casualties. One year after the controversial elections, on January 05, 2015, the BNP led alliance wanted to organise a meeting. However, the government did not permit them to do so and confined the BNP Chairperson Khaleda Zia in her party office; and arrested main leaders of the party. As a result the political situation became violent. Incidents of throwing petrol bombs, vandalising and torching vehicles took place and the government and the BNP Opposition were blaming each other for the violence. Leaders and activists of the ruling party, who were arrested under accusation of throwing petrol bombs, were released later. Many casualties were reported and human rights violations, including police shooting at legs; committing torture and extrajudicial killings; enforced disappearances; mass arrests; beatings and harassment of opposition activists; and controlling media reports occurred due to the massive political violence at that time. On January 05, 2016, during the second year of the controversial elections, the government permitted the BNP to organise a meeting, though repression against the out of Parliament opposition remains. The debate for establishing a participatory system in the political arena, through credible elections, still remains in a limbo; and attacks on all opposition continues. The criminalisation of politics is still widely visible in January 2016. The leaders and activists of the ruling party, mainly Chhatra League<sup>3</sup> and Jubo League<sup>4</sup>, are engaged in criminal activities due to the absence of an accountable government. Most of the criminal activities and violence are linked to vested interest; and mainly occur by using political influence and as a result of it. During the violent political altercations, these groups were seen in public, using lethal weapons. Several incidents of political violence took place. Some incidents are as follows:

3. On January 4, 2016 during the 68<sup>th</sup> anniversary of Awami League, the 'rebel' group of Chhatra League led by Mizan took possession of the district Awami League office in Thakurgaon. Later an altercation took place between this group and Chhatra League activists led by district Chhatra League President Mahbubur Rahman Rony, (who was selected by the Central Committee of Chhatra League); after the latter brought out a rally at the intersection of the Balaka Cinema Hall. Activists and supporters of Mahbubur Rahman Rony occupied the district office and vandalized a lawyer's chamber (the lawyer was also affiliated with Awami League). At least 20 persons were injured from both groups.<sup>5</sup>

---

<sup>3</sup> Student wing of Awami League

<sup>4</sup> Youth wing of Awami League

<sup>5</sup> The daily Jugantor, January 05, 2016

4. On January 10, 2016 after the final prayer of Biswa Ijtema<sup>6</sup> Chhatra League activists started extorting every hawker who sit at the pavements at the Madhumati Road area of the Dhaka-Mymensingh highway. The police in the area tried to prevent them from taking the money, which ranged from 100 to 200 Taka. As a result, the police and Chhatra League activists became engaged in altercation. At one point seven to eight Chhatra League activists forced three policemen into an alley and tried to take their weapons, but the other policemen rescued them and arrested Tongi unit Chhatra League member Saikat.<sup>7</sup>
5. Zakaria Mahmud and his associates of the Sylhet District unit of Awami League demanded Taka five hundred thousand as extortion from Al-Baraka Telecom owner Zakir Hossain at the mosque market in the B-Block in Sylhet. Zakir Hossain refused to give the money which made the Chhatra League activists vandalize Al Baraka Telecom office and threaten the traders with daggers. The traders there chased the Chhatra League activists away. Later the traders blocked the Shibganj-Mendibagh road in protest.<sup>8</sup>

## **Extrajudicial killings continue**

6. According to information gathered by Odhikar, in 2015, 185 persons were allegedly killed extra judicially. In 2016 this violation continues. The law and justice delivery system of the country is becoming increasingly unstable due to the persistence of extrajudicial killings.
7. According to Odhikar, in January 2016, nine persons were allegedly extra judicially killed.

### **Type of death**

#### ***'Crossfire/encounters/gunfights'***

8. Among them, six persons were killed by 'crossfire/encounters/gunfights'. Three of them were killed by police and three by RAB.

#### ***Shot to death:***

9. Two persons were shot to death by Border Guard Bangladesh (BGB).

#### ***Tortured to death:***

10. One person was tortured to death by the police.

---

<sup>6</sup> The world's second largest Muslim congregation after the Hajj,

<sup>7</sup> The daily Naya Diganta, 11/01/2016

<sup>8</sup> The daily Manabzamin, 25/01/2016

### *The identity of the deceased:*

11. Of the nine persons who were killed extra-judicially, one was an activist of BNP, one was an owner of a tea-stall, one was a villager, two were members of Jamaatul Mujahidin Bangladesh (JMB) and four were alleged criminals.
12. On January 3, 2016 a BNP activist named Al-Amin Jony (32) was allegedly killed in 'gunfight' by Rapid Action Battalion (RAB) at Eastern Housing area of Rupnagar, Dhaka. RAB claimed that Al-Amin was killed during the "shootout" when RAB conducted a drive against criminals who were preparing for sabotage. However, the family members of the deceased alleged that Al-Amin was picked up from House No. 31, Road No. 25 from Rupnagar Housing Area on December 28, 2015, by some people who claimed themselves members of the law enforcement agency. Since then, his whereabouts were unknown.<sup>9</sup>

### **Torture and degrading treatment**

13. In January 2016, some incidents of torture took place by law enforcement agencies. Among those tortured, two were the officers autonomous institutions and one person was a staff of a government office. Odhikar believes that as law enforcement agencies are being used for political gain and to suppress the political opponent, many members of law enforcement agencies believe that they are above the law. Though the Parliament, in 2013, passed the Torture and Custodial Death (Prevention) Bill 2013, there was no change in the actual situation and the some members of the law enforcement agencies continue these human rights violations.
14. On January 9, 2016 at around 11.00 pm, the Officer of the Communications and Publications Department of Bangladesh Bank, Golam Rabbi was returning home to Kalyanapur from his relative's house at Mohammadpur. On the way, the Sub Inspector (SI) of Mohammadpur Police Station, Masud Sikdar and some other police personnel detained Rabbi and asked for money and threatened to kill him in 'crossfire' if he did not. As Rabbi could not give the money, he was tortured by them. Golam Rabbi said, after he was put into a police van, the van went to different places. The police apprehended different people, beat them and asked for money. Those who could not pay were brought with Rabbi to the police station. Later, friends of Rabbi were phoned by the police and took him back and admitted him to the Dhaka Medical College Hospital for treatment. After this incident, Rabbi became physically and mentally ill.<sup>10</sup> On January 14, while under treatment at the Dhaka Medical College Hospital, two unknown men came and threatened to

---

<sup>9</sup> The daily Prothom Alo, January 04, 2016

<sup>10</sup> The daily Prothom Alo and Manabzamin, 11/01/2016

kill Rabbi.<sup>11</sup> SI Masud Sikder was suspended and a three-member investigation team was formed by the police.<sup>12</sup> On January 18, 2016 a High Court Division Bench of the Supreme Court, after the preliminary hearing of a Writ Petition, ordered the Officer-in-Charge of Mohammadpur Police Station to accept the written complaint, which was submitted to the Deputy Police Commissioner of Tejgaon, by Golam Rabbi, against SI Masud on January 11. Based on an application from the Attorney General, the Chamber Judge Hasan Faiz Siddiqui issued a stay on the High Court Order until on January 25 for hearing in a regular bench at the Appellate Division of the Supreme Court.<sup>13</sup> On January 28, the four-member Appellate Division Bench led by the Chief Justice S K Sinha ordered the authority to take necessary action if Golam Rabbi wanted to file a new case in court or police station.<sup>14</sup>

15. On January 15, 2016 at around 5 am, Inspector Bikash Chandra Das (40) of Dhaka South City Corporation went to supervise clean-up work at Mir Hajarbagh area. When he was going back on his motorbike after supervision of work, some people told him to stop. Thinking they were muggers, Bikash tried to escape, but fell off his bike. The men chased Bikash and started beating him up. It was later revealed that they were policemen. The cleaners of the City Corporation ran towards them and introduce Bikash as their officer, but the police did not pay any heed and in the presence of the cleaners they beat him up with rifle butts and kicked him. Bikash was admitted to the Dhaka Medical College Hospital in a critical condition. When his condition deteriorated, he was transferred to the Intensive Care Unit of Lab Aid Hospital. Sub Inspector Arshad Hussain of Jatrabari Police Station was temporarily suspended in this regard.<sup>15</sup>

## **Allegations of enforced disappearance against law enforcement agencies**

16. According to information gathered by Odhikar, in January 2016, four persons have been disappeared and were later shown as arrested.<sup>16</sup>
17. In Bangladesh, enforced disappearance is imposed against people who have been labeled as ‘enemies of the State’, or pose as a threat. The families of the victims claim that the members of law enforcement agencies are making the arrests and since then the victims have disappeared or their bodies are later found. In some cases, law enforcement agencies deny the arrest; but days

---

<sup>11</sup> The daily Manabzamin, 16/01/2016

<sup>12</sup> The daily Prothom Alo, 17/01/2016

<sup>13</sup> The daily Prothom Alo, 22/01/2016

<sup>14</sup> The daily Jugantor, 29/01/2016

<sup>15</sup> The daily Prothom Alo, 16 and 17/01/2016

<sup>16</sup> Odhikar only documents allegation of enforced disappearance where the family members or witnesses claim that the victim was taken away by people in law enforcement uniform or by those who said they were from law enforcement agencies.

later, the bodies of the disappeared persons are recovered or the arrested persons are produced in public or handed over to a police station and appear in Court. According to Odhikar in 2015, 64 persons were the victims of enforced disappearance.

18. On January 14, 2016 four young men including Fakhru Islam, owner of Sugandha Trade Centre, his brother Omar Faruq and two others named Nazmul Hasan and Hasan Kausar, were picked up in Karnelhaat at Chittagong by men claiming to be members of a law enforcement agency. Nurul Bari, the brother of Hasan Kausar informed that the four were kept in an unknown place for six days. On January 20, they were shown as arrested in an arson attack case filed in 2013 with Paltan Police Station in Dhaka. He told Odhikar that on January 14, 2016 around 10 pm, his brother Hasan Kausar and his friend Nazmul Hasan went to the store at Karnelhaat area for photocopying some papers related to their studies. During that time, the store was surrounded by a group of armed men, who said they were from law enforcement agencies. Fakhru Islam and Omar Faruq were put in a car at gunpoint, with Nazmul Hasan and Hasan Kausar. The people in the area gathered around and only then did the men show their identification as members of the Detective Branch of Police (DB). Since then, the families of the men went to different law enforcement agencies but did not find their whereabouts. On January 17, the family members of the four disappeared youths organised a press conference at Chittagong Press Club. On January 20, at around 11:30 am, Nurul Bari received a call from the number +880181688346 and the caller said he was DB Inspector (Dhaka Zone) Mahbub. He told Nurul Bari that four persons including Kausar were in their custody and would be brought before the court and taken into seven days remand. But if Nurul Bari could “make them happy”<sup>17</sup> the DB officers would not seek remand. The caller told him to be in Dhaka the next day to meet him. The lawyers told him not to comply. The next day all four men were shown as arrested in an arson case in 2013 at Paltan Police Station. Now the four men are detained in Dhaka Central Jail.<sup>18</sup>

## **Student killed in Brahmanbaria**

19. On January 11, 2016 Khaled Mohammad Mosharraf, a student of Jamia Islamia Eunusia Madrassa who was also the District unit Secretary of Qaumi Students Union Council of Brahmanbaria, became locked in an altercation over the fare charged by the driver of an ‘easy bike’ at Brahmanbaria Zila Parishad Market area. Rony Ahmed, a shopkeeper associated with the local Awami League, involved himself in the altercation and misbehaved with

---

<sup>17</sup> To pay bribe

<sup>18</sup> Information collected by Odhikar

Khaled Mohammad Mosharraf. In the evening, some Madrassa students attacked and beat the shopkeeper Rony Ahmed and vandalised his shop. Following the incident, local traders and Chhatra League activists attacked the Jamia Islamia Eunusia Madrassa. More than one hundred hand bombs were exploded and clashes between the two sides intensified. Police fired rubber bullets and tear gas shells and 30 people including ten policemen, were injured and injured student Masudur Rahman (20) died in the early hours of January 12, 2016. As soon as the news of the death of Masudur Rahman spread, the teachers and students of the Madrassa protested by blocking roads with burning tires. The Awami League office in Haldarapara, Alauddin Khan Music School at Jail Road and various organisations situated in Dhirendranath Dutta Language Square and the houses of Awami League activist Mahmud Haque Bhuiyan were attacked. Furthermore, railway sleepers were uprooted and tree trunks and abandoned sleepers were set on fire.<sup>19</sup> Maulana Mohammad Mamun Rashid, the elder brother of deceased Masud said that he was informed through the Madrassa students that Masud had died due to police beating. He said that the police threw him down from the fourth floor and then did not allow him to be taken to the hospital. The Residential Medical Officer of Brahmanbaria Sadar Hospital, Dr. Rana Nurus Shams, who performed Masud's autopsy, said that there was a black mark on the left side of Masud's chest. One rib-bone was broken and his lung was ruptured. On observing his wounded ankle the doctor suspected that he had fallen from a high place. A total of eight cases were filed by police, accusing six thousand and ninety four unknown persons. Police have accused another 44 local BNP leaders and activists, who were released on bail after being sentenced to imprisonment for two and a half months.<sup>20</sup>

## **Freedom of the media and expression**

20. According to information gathered by Odhikar, in January 2016, nine journalists were injured, nine were assaulted and three journalists were sued.

### ***Attack on journalists***

21. On January 20, 2016 locals restrained miscreants led by land grabber Abdur Rouf and Chittaranjan when they went to illegally encroach on land at Narayanpur village in Habiganj Municipality area. During this time some people were injured. The Habiganj district correspondent of Desh TV, Srikanta Gop went to the hospital to take pictures of the victims. There he was

---

<sup>19</sup> The daily Prothom Alo, New Age and Naya Diganta, 13/01/2016

<sup>20</sup> The daily Prothom Alo, 18/01/2016



attacked by the people of Abdur Rouf and Chittaranjan. At that time the criminals took away his camera, cell phone and money.<sup>21</sup>

### ***Hindrance to freedom of expression***

22. Intervention by the government and the ruling party men continue to hinder freedom of expression. Incidents of attacks, arrest and filing cases for posting comments on facebook persist.
23. On January 6, 2016 activists of Chhatra League and Jubo League attacked Alamgir Aronno, former President of Shailakupa Press Club of Jhenaidah District; General Secretary of Udichi (Shailakupa Upazila unit); and the Shailkupa Upazila correspondent of the daily Amader Orthoneeti. Alamgir Aronno informed Odhikar that he wrote a status on facebook on January 5, 2016 regarding the controversial 10<sup>th</sup> Parliamentary elections. He stated that, “today is the 5<sup>th</sup> of January which gave birth to many incidents”. As a result of posting this status, at around 11.30 am, eight to ten people including Kazi Rajib Hasan, son of Shailakupa City Corporation Mayor, Kazi Ashraful Ajam; Jahidul Islam, President of Upzila unit Chhatra League; and Ashariful Islam Khokon, General Secretary of Chhatra League attacked and beat him. They took Alamgir’s cell phone and broke it. Later, he was taken to the office of the President of Upazila unit Awami League and Upazila Chairman Shikder Mosharrof Hossain. The Upazila Chairman Shikder Mosharrof threatened him and verbally abused him and told Alamgir that if he posted such status against Awami League and government in future, he will have to leave the area.<sup>22</sup>

### ***Use of the repressive Information and Communication Technology Act 2006***

24. The repressive Information and Communication Technology Act 2006 (amendment 2009 & 2013) is still being applied. The latest amendment to the ICT Act was made on October 6, 2013. Section 57<sup>23</sup> of the ICT Act 2013 is the most abused and used for arrested bloggers, human rights activists and anyone who may write ‘offensive’ post or alternative opinions. Moreover, punishment for committing this offence has been amended from a maximum of 10 years imprisonment, with no minimum; to a term of a minimum of

---

<sup>21</sup> The daily Manabzamin, 21/01/2016

<sup>22</sup> Information gathered by Odhikar

<sup>23</sup> Section 57 of the ICT Act states: (1) If any person deliberately publishes or transmits or causes to be published or transmitted in the website or in electronic form any material which is fake and obscene or its effect is such as to tend to deprave and corrupt persons who are likely, having regard to all relevant circumstances, to read, see or hear the matter contained or embodied in it, or causes to deteriorate or creates possibility to deteriorate law and order, prejudice the image of the State or person or causes to hurt or may hurt religious belief or instigate against any person or organization, then this activity of his will be regarded as an offence.

(2) Whoever commits offence under sub-section (1) of this section he shall be punishable for a term of minimum of seven years’ imprisonment and a maximum of 14 years or a fine of Taka 10 million or both.

seven years and maximum of 14 years imprisonment. This law has curtailed the freedom of expression.

## Chief Justice speaks out against the Executive usurping the power of the Judiciary

25. On January 10, 2016 the Honourable Chief Justice Surendra Kumar Sinha at a book fair organised by the Supreme Court Bar Association commented that the Executive is trying to take away all the powers of the Judiciary. He said the judiciary and the legal profession have always raised their voice whenever such tendencies have surfaced in the past. If they do not step forward to stop the Executive's bid to usurp all powers then who will?<sup>24</sup> It is to be mentioned that the Judiciary is separated from the Executive body of the government but there is no separate Secretariat for the Judiciary. As a result, the Supreme Court cannot wholly control the transfer and promotion of the lower Court judges.
26. The Judiciary is the key of a democratic system of the state. Unfortunately, the Judiciary comes under control by the Executive body of the state for lack of practice of a true democratic system, which adversely affects the public. As a result, ordinary people become victims of repression and torture.

## Worker's rights

### ***Repression against the ready-made garment industry workers***

27. According to information gathered by Odhikar, in January 2016, 25 workers were injured by the police during workers unrest.
28. Garment manufacturing factories are a very large source of revenue for Bangladesh and the factory workers are one of the main contributing factors to this success. However, many factories were closed without notice. This, and sudden termination of workers and not providing wages on time are the main reasons for workers unrest.
29. A Minimum of 500 workers are working in several sections of Pritha Fashions of Sinha group at Trishkania area of Kanchan Municipality under Rupganj Upazila in Narayanganj District. For a long time owners did not pay overtime to the workers. Workers were repeatedly demanding two hours overtime. Owners of the factory had assured the workers they would pay the overtime from January 17, 2016. However, on January 17, workers found the gate of the factory locked in the morning. They also found a notice that the factory would be closed for an indefinite time. A large number of police were deployed previously in the factory by the owners. In this incident, the agitated workers

---

<sup>24</sup> The daily Prothom Alo, 11/01/2016

brought out a procession at Rupshi-Kanchan road in front of the factory. Suddenly, police baton charged the agitated workers. 25 workers were injured by police attack.<sup>25</sup>

30. Odhikar believes that the workers need to be brought under a synchronized security programme and it demands the government take necessary measures to build the infrastructure of the factories systematically with sufficient facilities for the workers.

## Eviction drive in Kalyanpur slums

31. On January 21, 2016 the Housing and Public Works Department began a slum-eviction drive at Kalyanpur area in Mirpur, Dhaka. Before the drive, the slum dwellers were given only two hours to move from the place. At one stage, the slum dwellers and police engaged in a clash when the slum dwellers protested against the drive. In this incident, around 15 persons were injured and one youth named Bijoy got shot. During the clash the whole slum and adjacent areas turned into a battlefield. The women, children and old persons faced inhuman sufferings and took shelter under the open sky. Members of the Housing and Public Works Department evicted the slums using two bulldozers. After the clash, hundreds of women and men took a stand in front of the entrance of gate number four of the slum. More than 50 police and more than 50 men, identified as activists of Chhatra League and Jubo League took position on the opposite side of the gate. On January 19, 2016 police took six persons from the slum to the police station. They were later released. Then the slum dwellers went to local Member of Parliament Aslamul Haque for help. However, Aslamul Haque told them to leave the slum within two days. He also said every family would be paid 2,000 taka for leaving the slum. The slum dwellers alleged that Aslamul Haque threatened them by saying that no police will be needed to evict the slum dwellers as he has 30,000 *lathiyals*<sup>26</sup>. It is to be mentioned that on December 28, 2003 the High Court Division of the Supreme Court directed the government to stay the eviction at Kalyanpur slum. After extending the period of the stay order several times the High Court Division directed an order to retain the stay order till disposal of the original case on January 17, 2007. Later, on January 21, 2016 the Housing and Public Works Department conducted the drive ignoring the stay order from the High Court Division. This incident was brought before the bench of Justice Tariq ul Hakim and Justice Bhishmadev Chakraborty of the High Court Division. Following the writ petition the High Court Division issued a three-month stay order on the drive and stated

---

<sup>25</sup> The daily Manabzamin, 18/01/2016 and report sent by human rights defender associated with Odhikar from Narayanganj

<sup>26</sup> Lathiyal is a paid thug.

the drive as illegal.<sup>27</sup> However, on January 22, 2016 a fire broke out in the slum, a day after the High Court imposed a stay on the demolition. The slum dwellers alleged that local ruling party lawmaker Aslamul Haque was behind the fire, which damaged some 100 shanties, leaving around 300 low-income people without any shelter.<sup>28</sup>

32. This incident of evicting slum dwellers despite having a stay order from the High Court Division, is inconsistent with the civil and political rights of the citizens.

## **Human rights violations by BSF in border areas**

33. According to information collected by Odhikar, in January 2016, three Bangladeshi citizens were killed by the Indian Border Security Force (BSF). Among them, two were gunned down and one was tortured to death. Furthermore, four Bangladeshi men were injured by the BSF. Of them, two were shot and injured and two were tortured.
34. The BSF has continued human rights violations on Bangladeshi citizens at the border areas over the years, ignoring protests made by various rights groups from both sides of the border. On one hand India has surrounded Bangladesh with fencing and on the other hand they are trying to deviate from their responsibility towards the BSF atrocities on Bangladeshi nationals.
35. According to the Memorandum of Understanding and related treaties signed between Bangladesh and India, if citizens of either country illegally cross the border, it would be considered trespass and as per law those persons should be handed over to the civilian authority. However, we have noticed that India has been, over the years, repeatedly violating such treaties, killing or physically harming anyone seen near the border or anyone trying to cross the border; and also attacked Bangladeshi citizens by illegally entering Bangladesh, which are clear violations of international law and human rights.
36. On January 18, 2016 at around 5.00 am, some Bangladeshi cattle traders entered into the territory of India through the area adjacent to No. 988 pillar of Shaljhore Kaziar Chor border under Bhurungamari Upzila in Kurigram District, for bringing cattle from India. The members of 98 BSF Battalion of Jhuloli outpost caught and tortured cattle traders Abdul Goni, Alauddin and Rois Uddin after chasing them. Abdul Goni died on the spot due to the torture of the BSF members. Alauddin and Rois Uddin got injured. Both of them managed to return Bangladesh and were admitted to the Bhurungamari Hospital. After possessing the dead body of Abdul Goni, the BSF left the body at the bank of the Kalojani River.<sup>29</sup>

---

<sup>27</sup>The daily Manabzamin, 22/01/2016

<sup>28</sup>The daily New Age, 23/01/2016

<sup>29</sup>Report sent by human rights defender associated with Odhikar from Kurigram

37. In the early morning of January 23, 2016 around 20/25 Bangladeshi cattle traders entered India through Adatala border in Patari Union under Sapahar Upazila in Naogaon District to bring cattle from India. At that time members of BSF chased them and at one stage BSF opened fire. Joynal Hossain (30) from South Patari village of Sapahar upazila died on the spot.<sup>30</sup>
38. Odhikar believes that the role of the Bangladesh Government should be strong, independent and sovereign in order to protect its citizens. No independent and sovereign state would passively watch its citizens being indiscriminately killed, tortured and abducted by another state.

## Public lynching continues

39. In January 2016, two people were reportedly killed due to public lynching.
40. In 2015, 132 people were reportedly killed due to public lynching in different places of the country. The trend is also continued in 2016. The lack of respect for law, distrust of the police and instability in the country has increased the fear and insecurity among people. Odhikar believes that due to a weak criminal justice system, the tendency to resort to public lynching is increasing, as people are losing their confidence and faith in the police and judicial system.

## Violence against women

### *Sexual harassment*

41. According to information gathered by Odhikar, in January, 2016, a total of 26 girls and women were victims of sexual harassment. Of them one was injured, four were assaulted, one was abducted and 20 were victims of stalking. During this time, 15 men were injured and one was assaulted and three women were injured by the stalkers when they protested.
42. On January 21, 2016 three Chhatra League activists, Abu Sadat Sayem, a student of Government and Politics Department; Jamshed Alam, student of International Relations Department; and Zahid Hasan, student of Bangla Department beat up and assaulted a female visitor and her companion at the Chourongi area of Jahangirnagar University. At that time Professor Dr. Mojahedul Islam of History Department was returning home by rickshaw. After observing the incident he stepped into the place and told the Chhatra League activists to stop. However, as they did not listen to Dr. Mojahedul's word he introduced himself as a professor and scolded them. As a result Abu Sadat Sayem got angry and assaulted Dr. Mojahedul.<sup>31</sup>

---

<sup>30</sup> The daily Amar Desh online, 23/01/2016

<sup>31</sup> The daily Jugantor 23/01/2016

43. Allegations were found against three policemen, including Sub-Inspector (SI) Ratan Kumar, of Adabor Police Station for assaulting and giving indecent proposals to a female university student, Farhana Akhter, in Shyamoli, Dhaka. Farhana Akhter alleged that on January 31, 2016 she leaving ASHA University by rickshaw to buy books. On her way to a book store, three policemen, including SI Ratan Kumar of Adabor Police Station stopped her rickshaw and asked her whether she had Yaba tablets.<sup>32</sup> At one stage, police forcibly took her to a nearby electronics shop located opposite the Shia Mosque, where she was confined for about 45 minutes. SI Ratan Kumar searched her purse and verbally harassed her. Farhana's husband Sajib Ahmed, who is a local Jubo Dal<sup>33</sup> leader, alleged that SI Ratan sexually harassed his wife and forced her to take off her pullover.<sup>34</sup>

### ***Dowry-related violence***

44. In January 2016, according to Odhikar documentation, 20 women including under aged brides were subjected to dowry violence. Of these women, it has been alleged that 10 were killed and seven were physically abused over dowry demands. However, two under aged brides were killed and one was physically abused for dowry demands.

45. On January 4, 2016 Jahangir Akon beat and injured his wife Poly Akhter over 50,000 Taka as dowry at Chikondi area under Sadar Upazila in Shariatpur District. Poly Akhter died at Shariatpur Sadar Hospital.<sup>35</sup>

### ***Acid violence***

46. According to information gathered by Odhikar, in January 2016, it was reported that four women became victims of acid violence.

47. On January 5, 2016 at around 4.00 am, four criminals Arman, Aziz, Anowar and Sanowar threw acid on housewife Sonia Akhter through the window of her home, over previous enmity, in Geneva camp, Mohammadpur, Dhaka. In this incident 60 percent of Sonia Akhter's body, including hands, waist and back were burnt with acid. She was admitted to the burn unit of the Dhaka Medical College Hospital.<sup>36</sup>

### ***Rape***

48. In January 2016, Odhikar recorded a total number of 48 females who were raped. Among them, 18 were women and 30 were children below the age of 16. Of the women, one was killed after being raped and seven were victims of

---

<sup>32</sup> Yaba tablets are drugs and banned in Bangladesh.

<sup>33</sup> Student wing of Bangladesh Nationalist Party (BNP)

<sup>34</sup> The daily Jugantor and the Daily Star, 01/02/2016

<sup>35</sup> The daily Naya Diganta, 08/01/2016

<sup>36</sup> The daily Jugantor, 06/01/2016

gang rape. Out of the 30 child victims, two were victims of gang rape. 14 women and children were victims of attempted rape.

49. A housewife of a Hindu religious community was allegedly gang-raped twice by the brother of a leader of ruling party and his companions. On January 14, 2016 Monu Miah and his friends stormed the victim's house when her husband and her son were not home. Her family took the matter to village elders and sought justice. Infuriated on January 18, 2016 Monu Miah and his accomplices forced their way into the victim's house and raped her after tying up her husband and son. It is to be noted that, Monu Miah is the younger brother of Idris Miah, President of Monodori Union unit of Awami League. Police later arrested Monu Miah.<sup>37</sup>

## **Hindrance to Human Rights, Rule of Law and Social Activities**

### ***Activities of Odhikar hindered***

50. Odhikar, as a human rights organisation, has come under government fire during various regimes, for being vocal against human rights violations and for campaigning to stop them. However, the present Grand Alliance government, led by the Awami League, after assuming power in 2009, started harassment on Odhikar for its reports on the human rights situation of the country. On August 10, 2013 at 10:20 pm, Odhikar's Secretary Adilur Rahman Khan was picked up by persons claiming to be from the Detective Branch (DB) of Police, for publishing a fact finding report on extrajudicial killings during a rally organised by the religious group Hefazate Islam on May 5-6, 2013. The police, at first, denied detaining him. Adilur and Odhikar's Director ASM Nasiruddin Elan, were charged under section 57(1) of the Information and Communication Technology Act, 2006 (Amended 2009). They were in jail custody and later, Adilur and Elan were released on bail after spending 62 and 25 days in prison respectively. On August 11, 2013 at night, the DB Police raided the Odhikar office and confiscated two CPUs (Central Processing Unit) and three laptops, which contained sensitive and confidential information and documents relating to victims of human rights abuses. Odhikar regularly faces harassment by different organs of the government. Adilur Rahman Khan, staff members of Odhikar and the office are under surveillance by intelligence agencies. Human rights defenders who are associated with Odhikar are being watched and sometimes harassed and human rights activities hindered.
51. On 29 August 2015, the National Press Club authority abruptly cancelled a programme, which was scheduled to be held on 30 August at the National

---

<sup>37</sup> The Daily Star, 22/01/2016

Press Club auditorium. At 5:20 pm on 29 August, Odhikar received a phone call from an employee of the National Press Club that, as per the instructions of the General Secretary, the Club was cancelling its permission; and would not allow Odhikar to host the programme at their premises. It must be noted that the booking was made on July 11. August 30 is the International Day of the Victims of Enforced Disappearances, to remember all those who have been disappeared and to show solidarity and support to their families. At 9:30 am on that day, family members of victims of enforced disappearance were to come together at a solidarity meeting at the National Press Club auditorium. This was scheduled to be jointly organised by members of the families of the disappeared, the Asian Federation against Involuntary Disappearances (AFAD), the Asian Legal Resource Centre (ALRC), the International Federation for Human Rights (FIDH) and Odhikar. The meeting was organised to allow family members of victims of disappearance to recall the incidents, remind everyone of the issue and demand justice and recovery. Odhikar also received information that a few victim families who were supposed to attend the programme had been threatened over the telephone and told not to participate. On August 30, 2015 law enforcement agencies in various districts also inquired about local human rights defenders who are associated with Odhikar; and advised them not to conduct any programmes in relation to the International Day of the Victims Enforced Disappearance.

52. On November 25, 2015 during the UN International Day against Violence against Women, local level human rights defenders associated with Odhikar in Madaripur and Thakurgaon, were accosted and obstructed by police when they were holding programmes on the issue of violence against women.
53. The NGO Affairs Bureau (NGOAB), which is under the Prime Minister's Office, has barred the release of all project related funds of Odhikar, for about two years, in order to stop its human rights activities. The Organisation is still operating due to the volunteer services of grassroots level human rights defenders associated with Odhikar and their commitment to human rights activism.
54. As a human rights organisation, it is Odhikar's duty to highlight human rights violations and take appropriate action and measures to prevent future violations. The Government is harassing Odhikar, everyone associated with the organisation and victims of human rights violations; gagging their voices and hampering Odhikar's activities.
55. The present government is too eager to restrain the rights of freedom of expression and assembly of human rights organisations and NGOs, which contravenes the Universal Declaration of Human Rights; the International Covenant on Civil and Political Rights; and the UN Declaration of Human Rights Defenders.



## **Police Headquarter stated the human rights report of Ain-O-Shalish Kendra as not true, deceptive (fabricated/confusing) and disruptive**

56. On January 1, 2016 human rights organisation Ain-O-Shalish Kendra (ASK) published a report titled as '146 persons become victims of extra-judicial killings'. Following the report the Police Headquarters in a press release said that the NGO's statement was deceptive (fabricated/confusing) and disruptive. Bangladesh police also showed bold protest against the disruptive campaign of the NGO. In the press release police also informed that the NGO emphasised on the death of criminals by police firing but it evaded the issue of death of police by the criminals in gunfight or attack. Police identified the report as a part of an intentional and biased campaign.<sup>38</sup> It is to be noted that Bangladesh Police reacted in the same way in a press release while on August 2, 2015 Odhikar and Bangladesh Manabdhikar Commission (BAMAK) and on October 2, 2015 ASK separately published human rights monitoring report like Ain-O-Shalish Kendra.

---

<sup>38</sup> The daily Manabzamin, 06/01/2016

<b>Statistics: January 2016*</b>			
<b>Type of Human Rights Violation</b>		<b>January</b>	<b>Total</b>
Extrajudicial killings	Crossfire	6	<b>6</b>
	Shot to death	2	<b>2</b>
	Torture to death	1	<b>1</b>
	Total	9	<b>9</b>
Shot on legs by law enforcement agencies		2	<b>2</b>
Disappearances		4	<b>4</b>
Death in Jail		7	<b>7</b>
Human rights violations by Indian BSF	Bangladeshis Killed	3	<b>3</b>
	Bangladeshis Injured	4	<b>4</b>
Attack on journalists	Injured	9	<b>9</b>
	Assaulted	9	<b>9</b>
	Arrested	3	<b>3</b>
Political violence	Killed	6	<b>6</b>
	Injured	407	<b>407</b>
Dowry related violence against women		20	<b>20</b>
Rape		48	<b>48</b>
Sexual harassment /Stalking of women		26	<b>26</b>
Acid		4	<b>4</b>
Public lynching		2	<b>2</b>
RMG	Killed	0	<b>0</b>
	Injured	25	<b>25</b>

\*Odhikar's documentation

## Recommendations

1. Political violence must be stopped. The Government should take unbiased and effective legal action against criminal acts perpetrated by its party activists. In order to control the unstable and confrontational politics, an initiative of forming an accountable government needs to be taken immediately, through holding free and fair Parliamentary elections by ensuring the participation of all political parties, under a neutral, interim government or under the supervision of the United Nations.
2. Incidents of extrajudicial killings and torture by law enforcement agencies must be investigated and the perpetrators be brought to effective justice. Extrajudicial killings in the name of 'crossfire' and 'gunfight' must be stopped.
3. The law enforcement agencies must follow the international guidelines "Basic Principles on the use of Force and Firearms by Law Enforcement Officials" and the "UN Code of Conduct for Law Enforcement Officials". The Government should ratify the Optional Protocol to the Convention against Torture; and effectively implement the Torture and Custodial Death (Prevention) Act, 2013 without any controversial or bias amendment.
4. The Government has to explain all incidents of enforced disappearance and post-disappearance killings, allegedly perpetrated by law enforcement agencies. All victims of disappearance should be returned to their families. The Government must bring the members of the security and law enforcement agencies, who are involved in the incidents of enforced disappearance and killing; to justice. Odhikar urges the government to accede to the International Convention for the Protection of All Persons from Enforced Disappearance, adopted by the UN on December 20, 2006.
5. The Government should refrain from carrying repressive unconstitutional activities. Mass arrests and human rights violations in jail should be stopped.
6. Filing case against 6094 unnamed persons after the incident of the death of a Madrassa student in Brahmanbaria creates the scope of violating the human rights of many people. Odhikar urges the government to form an independent inquiry commission to investigate incidents of vandalism and arson attacks and it also demands the government to immediately withdraw the cases against the people.
7. The Ready-made garment factories need to be brought under synchronized security programmes and the factories should be made with adequate infrastructural and other facilities. Human rights violations, including termination of workers, pending wages and harassment by Industrial Police against readymade garment factory workers must be stopped.

8. There should be no eviction drive in slums without rehabilitating people first.
9. Interference to freedom of expression and of the media must be stopped. The Government must deviate from its decision regarding the registration of online media. The ban on the publication of the daily Amar Desh and the broadcasting of Diganta TV, Islamic TV and Channel One should be removed. All persons who were detained for political reasons, including Acting Editor of the daily Amar Desh Mahmudur Rahman, should be released immediately. All repressive laws, including the Information and Communication Technology Act, 2006 (amendment 2009, 2013) and the Special Powers Act, 1974 must be repealed.
10. The Government should protest strongly against human rights violations on Bangladeshi citizens by the BSF and take initiatives to investigate and make the Indian Government accountable; and compensate the families of the victims. The Government should also ensure the safety and security of the Bangladeshi citizens residing at the border areas.
11. The Government must ensure the effective implementation of laws to stop violence against women and the offenders must be effectively punished under prevalent laws. The Government should also execute mass awareness programmes in the print and electronic media, in order to eliminate violence against women.
12. The case filed against Odhikar's Secretary and its Director under the Information and Communication Technology Act, 2006 (Amended in 2009) must be withdrawn. All repressive measures and harassment against human rights defenders associated with Odhikar should be stopped. The government must release the funds of Odhikar to enable it to continue its human rights activities.

**Tel: +88-02-9888587, Fax: +88-02-9886208**

**Email: [odhikar.bd@gmail.com](mailto:odhikar.bd@gmail.com), [odhikar.documentation@gmail.com](mailto:odhikar.documentation@gmail.com)**

**Website: [www.odhikar.org](http://www.odhikar.org)**

**Notes:**

1. Odhikar seeks to uphold the civil, political, economic, social and cultural rights of the people.
2. Odhikar documents and records violations of human rights and receives information from its network of human rights defenders and monitors media reports in twelve national daily newspapers.
3. Odhikar conducts detailed fact-finding investigations into some of the most significant violations, with assistance from trained local human rights defenders.
4. Odhikar is consistent in its human rights reporting and is committed to remain so.